

In the Claims:

Please replace claims 54 and 58, and add new claims 62 and 63, all as shown below.

1-41. (Canceled)

42. (Withdrawn). A method for dilating a ligament associated with spinous processes including the steps of:

selecting a device with a handle and a curved tip, wherein the curved tip is gradually tapered from the tip to a portion rearwardly of the tip;

inserting the curved tip through an insertion in the back of a patient until the tip is located adjacent the ligament to be dilated;

rotating the curved tip so that it can be urged into the ligament in order to dilate the ligament;
and

urging the curved tip into the ligament in order to dilate the ligament.

43. (Withdrawn). The method of claim 42 wherein the insertion step includes inserting the tip in a direction which is essentially perpendicular to the back of the patient.

44. (Withdrawn). The method of claim 42 wherein the insertion step includes inserting the tip in a posterior to an anterior direction.

45. (Withdrawn). The method of claim 41 wherein in order to address the ligament, the curved tip is rotated from a position substantially parallel to the ligament to a position substantially perpendicular to the ligament.

46. (Withdrawn). The method of claim 42, including the step of:

selecting a dilation tool with a curved tip having at least one larger diameter than the curved tip of the first tool; and

inserting the second dilation tool to the dilated opening created by the first tool in order to further dilate the opening in the ligament.

47-53. (Canceled)

54. (Previously Presented): A system for creating and dilating an opening in an interspinous ligament, the system comprising:

a series of dilators, each dilator including:

an elongated body having a proximal end and a distal end;

a handle portion connected with the proximal end for manipulating the elongated body; and

a tapered curved tip at the distal end adapted for being urged into the interspinous ligament, the tapered curved tip increasing from a first diameter to a second diameter; and

wherein the first diameter of the tapered curved tip for a first dilator is sized such that the first dilator is adapted to create the opening in the interspinous ligament; and

wherein the first diameter of the tapered curved tip for a subsequent dilator is substantially the same as the second diameter of the tapered curved tip of a preceding dilator.

55. (Previously Presented): The system of claim 54, wherein the tapered curved tip is positioned at an angle relative to the elongated body, so that the interspinous ligament may be accessed with minimal damage to surrounding body tissue.

56. (Previously Presented): The system of claim 54, wherein each dilator further includes a mark for indicating a range of diameters of the tapered curved tip.

57. (Previously Presented): The system of claim 56, wherein the mark is a color coded handle portion.

58. (Previously Presented): A system for creating and dilating an opening in an interspinous ligament, the system comprising:

a series of devices, each device including:

an elongated body having a first end and a second end;

a handle connected with the first end for manipulating the elongated body; and

a tapered tip at the second end positioned about an axis that forms an angle with an axis of the elongated body, the tapered tip having a diameter about the tip axis that increases from a first diameter to a second diameter;

wherein the first diameter of the tapered tip for a first device of the series of devices is sized such that the first device is adapted to create the opening in the interspinous ligament; and

wherein the first diameter of the tapered tip for a subsequent device of the series of devices is substantially the same as the second diameter of the tapered tip of a preceding device.

59. (Previously Presented): The system of claim 58, wherein the angle formed between the tip axis and the elongated body axis is such that the interspinous ligament may be accessed with minimal damage to surrounding body tissue.

60. (Previously Presented): The system of claim 58, wherein each device further includes a mark for indicating a range of diameters of the tapered tip.

61. (Previously Presented): The system of claim 58, wherein the mark is a color coded handle.

62. (New): The system of claim 54, wherein at least one of the devices includes a plurality of marks for measuring a width of a dilated opening, thereby allowing an implant to be properly sized.

63. (New): The system of claim 58, wherein each device includes a plurality of marks for measuring a width of a dilated opening, thereby allowing an implant to be properly sized.